

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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	:	No. 10-CV-4572 (ERK) (CLP)
WILLIAM BURNS and THERESA BLACK,	:	
Individually and on Behalf of All Others Similarly	:	
Situated,	:	
	:	
Plaintiff,	:	
	:	
-against-	:	
	:	
FALCONSTOR SOFTWARE, INC.; ESTATE OF	:	
REIJANE HUAI; SHUWEN HUAI, as	:	
Executor/Fiduciary of the ESTATE OF REIJANE	:	
HUAI; and JAMES WEBER	:	
	:	
Defendants.	:	
-----X	:	

**LEAD PLAINTIFF'S NOTICE OF MOTION AND MOTION FOR:
(1) FINAL APPROVAL OF PROPOSED CLASS ACTION SETTLEMENT; AND
(2) AWARD OF COUNSEL FEES, REIMBURSEMENT OF EXPENSES, AND
AWARD TO LEAD PLAINTIFF**

PLEASE TAKE NOTICE that on March 3, 2014, at 2:00 a.m. in Courtroom 8A of the United States District Court for the Eastern District of New York, located at 225 Cadman Plaza East, Brooklyn, New York 11201, plaintiffs will and hereby do move the Court, the Honorable Edward R. Korman, for final approval of the proposed class action settlement and an award of counsel fees, reimbursement of expenses, and award to Lead Plaintiff.

This motion is based upon this notice of motion and motion, the accompanying memorandum of law, the accompanying declaration of Phillip Kim in support of the motion, the exhibits attached thereto, and such argument and additional papers as may be submitted to the Court before and at the hearing on this motion.

Dated: January 27, 2014

Respectfully submitted,

THE ROSEN LAW FIRM, P.A.

/s/ Phillip Kim

Laurence M. Rosen, Esq. (LR 5733)

Phillip Kim, Esq. (PK 9384)

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CERTIFICATE OF SERVICE

I hereby certify that on this on the 27th day of January, 2014, a true and correct copy of the foregoing document was served by CM/ECF to the parties registered to the Court's CM/ECF system.

/s/ Phillip Kim